

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated March 20, 2006 (hereinafter “Office Action”) have been considered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1-22 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. First, Applicant respectfully traverses the rejection with respect to Claims 2-22, as the Office Action does not provide any rationale for rejecting Claims 2-22 in view of §101. Applicant notes that 35 U.S.C. §132 requires that the Office Action state the reasons for a rejection together with such information and references as may be useful in judging of the propriety of continuing the prosecution of an application. Without a presentation of any discussion or rationale, Applicant cannot judge the propriety of such a rejection.

Second, Applicant respectfully disagrees with the Examiner’s assertion and traverses the rejection of Claim 1 because it is directed to statutory subject matter. More specifically, the Office Action asserts that the claim language provides no concrete or tangible results because it does not provide for storing results from the synchronization or does not display the results to a user. At least the limitations directed to “synchronizing data of at least the first database and the second database using at least part of said data” creates the tangible result that the data of at least two databases are synchronized, meaning that the at least two data collections have corresponded such that the information units of the data collections substantially correspond to each other. See Specification, paragraph [002]. Moreover, Applicant notes that a method claim need not include all steps of a method, merely those that are deemed inventive.

Notwithstanding the above discussion, Applicant has amended each of the independent claims (Claims 1, 10, 12, 14 and 19-22) to characterize a terminal as storing received data to a memory medium and retrieving the data as a response to a need for a synchronization service. Support for these changes may be found in paragraphs [0017] and [0021] of the instant Specification, and the changes do not introduce new matter. Each of

the pending claims is believed to be patentable over the cited references for the reasons discussed below.

Claims 1-2, 5, 6, 9-11, 12-14, 17 and 19-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,882,659 to Novak *et al.* (hereinafter “Novak ‘659”). Applicant respectfully traverses the rejection because Novak ‘659 fails to teach or suggest each of the claimed limitations. For example, Novak ‘659 fails to teach limitations directed to a configuration message such as forming and transmitting a configuration message comprising data required for the application data synchronization, said data comprising settings of at least the second database, as claimed. The cited portion at column 5, lines 9-36, does not teach forming the claimed configuration message but rather teaches exchanging information during the actual synchronization, “After the mobile device 410 and server 420 have authenticated each other the server initiates the synchronization. . . .” Similarly, the relied-upon Figs. 4 and 5 are directed to initiation and execution of synchronization and not to pre-configuration features on the basis of which synchronization may later be initialized. The discussion in Novak ‘659 at column 6, lines 19-29 describes activity prior to initiating the actual synchronization session as establishing a password for the mobile device. This password fails to correspond to the claimed configuration message at least in that it does not include settings of at least a second database, as claimed.

Moreover, the Office Action fails to identify where Novak ‘659 teaches transmitting a configuration message from the synchronization server to the terminal and initializing synchronization using at least part of the data in the configuration message. The cited portion at column 7, lines 25-35, is also directed to actual data synchronization after an initial session has been established. See column 6, lines 58-60. The citation fails to disclose any teaching of transmitting a configuration message including database setting data, storing the data in a memory in a terminal, retrieving data from the memory as a response to a need for a synchronization service, and initializing the synchronization using at least part of the data retrieved from the memory medium. Applicant further notes that Novak ‘659’s discussion of OBEX commands is merely directed to sending a data object, which represents data to be synchronized such as contacts and calendar entries and not a

configuration message, as claimed. Without a presentation of correspondence to each of the claimed limitations, the §102(e) rejection is improper. Accordingly, Applicant requests that it be withdrawn.

Each of dependent Claims 3, 4, 6, 8, 15, 16, and 18 is also rejected in view of Novak '659 in combination with at least one other reference. Applicant traverses each of these rejections as Novak '659 fails to correspond to the claimed invention as discussed above, and none of the further cited references overcomes the above-discussed defects of Novak '659. Moreover, for each rejection, the Office Action merely asserts that a secondary reference teaches limitations missing in Novak '659 without presenting how the teachings would be combined to arrive at the claimed invention. Without a showing of correspondence between the asserted combinations of references and each of the respective claimed limitations, the §103(a) rejections are improper and should be withdrawn.

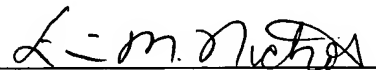
It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.053PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact her at the number below to discuss any issues related to this case.

Respectfully submitted,

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